



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CYNTHIA S. GILLETTE, ETC., ET AL.,

Plaintiff(s),

Case No. 07 CV 4697

-against-

AFFIDAVIT OF SERVICE

JEFFREY ENDERVELT, ET AL.,

Defendant(s).

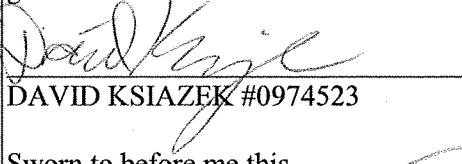
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STATE OF NEW YORK)
S.S.
COUNTY OF ROCKLAND)

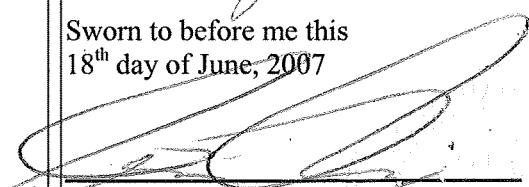
DAVID KSIAZEK, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 6th day of June, 2007, at approximately the time of 4:00 PM, deponent served a true copy of the SUMMONS, COMPLAINT, STATEMENT PURSUANT TO FED. R. CIV. P. 7.1, ELECTRONIC FILING INSTRUCTIONS, INDIVIUAL PRACTICES OF JUDGE ROBERT W. SWEET AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE EATON upon BLIMPIE OF CALIFORNIA, INC. at 145 Huguenot Street, Suite 410, New Rochelle, New York 10801, by personally delivering and leaving the same with JEFFREY ENDERVELT, who informed deponent that he is authorized by BLIMPIE OF CALIFORNIA, INC. to receive service at that address.

JEFFREY ENDERVELT is a white male, approximately 55 years of age, stands approximately 5 feet 10 inches tall, weighs approximately 185 pounds with black hair, brown eyes and glasses.


DAVID KSIAZEK #0974523

Sworn to before me this
18th day of June, 2007


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 01RI6109718
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires May 17, 2008